

**In the United States District Court
Southern District of Ohio
Western Division at Cincinnati**

MBJS, Inc.

Plaintiff

Case No. 1:02-CV-372-SJD-TSH

vs.

Judge: Dlott

Vimal Patel, et al.

Motion to Withdraw as Counsel for Plaintiff

Defendants

Now comes attorney Mitchell W. Allen on behalf of himself, Allen & Crossley, LPA, and Paige A. Crossley and respectfully requests this Court grant them leave to withdraw as counsel for reasons more fully set forth in the Memorandum below.

ALLEN & ASSOCIATES, LPA

/s/ Mitchell W. Allen

Mitchell W. Allen, No. 0052661
Counsel for the Webb Defendants
52 E. Mulberry St., P.O. Box 435
Lebanon, Ohio 45036
513-933-9011
513-933-9996 (fax)



Allen & Associates, LPA
Attorneys and Counselors at Law

52 East Mulberry St.
P.O. Box 435
Lebanon, Ohio 45036
513-933-9011
513-933-9996 (fax)

Memorandum

At the scheduling conference on December 10, 2004, Mr. Allen advised that he and his partner, Paige A. Crossley, had dissolved the firm of Allen & Crossley, LPA. He further advised that he had not heard from his client in quite some time and had not been specifically engaged to represent MBJS further in his own capacity.

The Court agreed to give counsel time to make a final effort to contact his client and report back to the Court.

Counsel sent a letter on December 13, 2004 to his client asking that MBJS advise counsel of its desires with respect to representation by no later than December 27, 2004.

As of the present date, January 6, 2005, counsel has not heard from his client and anticipates that he will not be engaged to represent MBJS.

Accordingly, counsel respectfully requests that he, Paige A. Crossley, and Allen & Crossley, LPA be granted leave to withdraw as counsel for Plaintiff, MBJS, in the above-captioned case.

ALLEN & ASSOCIATES, LPA

/s/ Mitchell W. Allen

Mitchell W. Allen, No. 0052661
Counsel for the Plaintiff
52 E. Mulberry St., P.O. Box 435
Lebanon, Ohio 45036
513-933-9011
513-933-9996 (fax)



Allen & Associates, LPA
Attorneys and Counselors at Law

52 East Mulberry St.
P.O. Box 435
Lebanon, Ohio 45036
513-933-9011
513-933-9996 (fax)

Certificate of Service

The undersigned certifies that a true and accurate copy of the foregoing was served via email and ordinary U.S. Mail, postage pre-paid, as appropriate, this 6th day of January, 2005 on the following:

Gary F. Franke
120 East Fourth St.
Suite 1040
Cincinnati, Ohio 45202
Via electronic service

Ray Gandhi
MBJS, Inc.
5543 Homecrest Ln.
Mason, Ohio 45040
Via ordinary mail service

ALLEN & ASSOCIATES, LPA

/s/ Mitchell W. Allen

Mitchell W. Allen, No. 0052661
Counsel for the Plaintiff



Allen & Associates, LPA
Attorneys and Counselors at Law

52 East Mulberry St.
P.O. Box 435
Lebanon, Ohio 45036
513-933-9011
513-933-9996 (fax)